

1 Screen 5 (Office Action May 05, 2005) - help menu response of topics relating to the keyword
2 "list and specifically information about data forms.

3 Based on these screenshots, the Examiner concludes that applicants' claims are not patentable.
4 Applicants respectfully disagree with this conclusion for the reasons discussed below because Excel
5 does not teach or suggest all that is recited in independent Claims 1, 8, and 10.

6 In the interest of reducing the complexity of the issues for the Examiner to consider in this
7 response, the following discussion focuses on independent Claims 1, 8, and 10. The patentability of
8 each remaining dependent claim is not necessarily separately addressed in detail. However,
9 applicants' decision not to discuss the differences between the cited art and each dependent claim
10 should not be considered as an admission that applicants concur with the Examiner's conclusion that
11 these dependent claims are not patentable over the disclosure in the cited references. Similarly,
12 applicants' decision not to discuss differences between the prior art and every claim element, or every
13 comment made by the Examiner, should not be considered as an admission that applicants concur
14 with the Examiner's interpretation and assertions regarding those claims. Indeed, applicants believe
15 that all of the dependent claims patentably distinguish over the references cited. However, a specific
16 traverse of the rejection of each dependent claim is not required, since dependent claims are
17 patentable for at least the same reasons as the independent claims from which the dependent claims
18 ultimately depend.

19 Discussion of the Rejection of Independent Claim 1

20 The Examiner asserts that while Excel does not teach making the list a List Object such that a
21 continuing association among fields of a record exists, regardless of whether a user selects all of the
22 fields within each record when manipulating records within the list, that Excel does teach the creation
23 and embedding of objects into a spreadsheet on Screen 16. In making the list an object, the list would
24 have been permanently identified, thus creating a continuing association among fields of a record
25 regardless of whether a user selects all of the fields within each record when manipulating records
26 within the list. Thus, it would have been obvious to one of ordinary skill in the art at the time the
27 invention was made to have combined the list creation properties of Excel with the object creation
28 and embedding properties of Excel to have created what is recited in the claims. Also, the Examiner
29 asserts that it would have been obvious and desirable to have created the list in the form of an object
30 so that the list would have been easier to identify, manipulate, and move about the spreadsheet.

1 Step(d)(ii) of independent Claim 1 has been amended to recite "creating a continuing
2 association between each field within each record such that each field remains associated with other
3 fields within each record when the record is manipulated, regardless of whether a user selects all of
4 the fields within each record when manipulating records within the list ***and regardless of whether a***
5 ***user identifies the list.***" (Emphasis added to indicate change.) Under the section of the present
6 Office Action entitled "Response to Arguments," the Examiner disagreed with applicants' arguments
7 that the prior art teaches a user has to select all of the records each time before sorting, because the
8 Examiner asserts that Excel requires that the user only identify the list the first time before
9 performing one or more record manipulations. Multiple sorts may be performed by the user
10 thereafter as long as the list remains identified. Thus, the Examiner asserts, the continued association
11 among the fields in each record is maintained as long as the list remains identified. The Examiner
12 concludes that the continued association among the fields in each record is maintained as long as the
13 list remains identified. The Examiner has provided additional screen pages 4 and 5 to demonstrate
14 that Excel explicitly identifies the list and that the list may be a simple database, as shown on screen
15 page 4. He provides screen page 5 to show that the program furnishes a data form for assisting the
16 user in adding, changing, finding and deleting records, to further the Examiner's position that Excel
17 identifies that the list is an entity.

18 Applicants teach that "Step 1030 is followed by step 1035 where the options that define the
19 List Object are saved. Not only are the data field settings or formatting saved, but also each field in
20 each record ~~are~~ is logically associated with every other field in the record. In this way, the entire
21 collection of data within the List Object is treated as a single unit" (see applicants' specification,
22 page 30, lines 3-8). Thus, unlike the cited reference to Excel, the above quote indicates, that an
23 association continues to exist for the List Object regardless of whether the user identifies the list
24 when manipulating one of the fields in a record. Accordingly, in view of the amendment to Claim 1
25 that clarifies this distinction over the cited art, the rejection of independent Claim 1 under
26 35 U.S.C. § 103(a) should be withdrawn.

27 Because dependent claims inherently include all of the recitation of the independent claim
28 from which the dependent claims ultimately depend, and because the art cited does not disclose or
29 suggest all of the recitation of independent Claim 1, the rejection of dependent Claims 2-7 should be
30 withdrawn because these dependent claims are patentable for at least the same reasons as Claim 1.

1 Discussion of the Rejection of Independent Claim 8

2 The Examiner asserts that while Excel does not teach making the list a List Object, thus
3 creating a continuing association among fields of a record regardless of whether a user selects all of
4 the fields within each record when manipulating records within the list, Excel does teach the creation
5 and embedding of objects into a spreadsheet, as shown on Screen 16. The Examiner further notes
6 that in making the list an object, the list would have been permanently identified, thus creating a
7 continuing association among fields of a record regardless of whether a user selects all of the fields
8 within each record when manipulating records within the list. The Examiner then concludes that it
9 would have been obvious to one of ordinary skill in the art at the time the invention was made to have
10 combined the list creation properties of Excel with the object creation and embedding properties of
11 Excel to have created the claimed invention. Also, he concludes that it would have been obvious and
12 desirable to have created the list in the form of an object, so that the list would have been easier to
13 identify, manipulate, and move about the spreadsheet. Applicants respectfully disagree, because
14 there is simply no suggestion in this reference or any other cited art that would lead one of ordinary
15 skill to change the way that Excel treats records in a spreadsheet to achieve List Object like that
16 recited in the claims. Absent some clear teaching or suggestion to make such a change in the single
17 cited reference (or any other cited art), the Examiner is not permitted to reach such a conclusion as a
18 basis for rejecting a claim.

19 Further, with respect to step (b) of independent Claim 8, which recites “displaying *a second*
20 *dialog box* operable for receiving user commands to define a plurality of options associated with each
21 of the plurality of fields in the List Object,” the Examiner asserts that Excel discloses this step in
22 screen pages 3-5 of the Office Action of October 21, 2004. In addition, with respect to step (c) of
23 independent Claim 8 that recites “displaying *a third dialog box*, operable for receiving user
24 commands to save the plurality of options associated with each field,” the Examiner asserts that
25 Excel discloses this step on screen page 5. However, applicants recite the use of three different
26 dialog boxes in independent Claim 8, a first dialog box in step (a) and two more dialog boxes in steps
27 (b) and (c), and there does not appear to be a second or third dialog box in Excel to perform the
28 function of either defining or saving the plurality of options for each field recited in the claim. First,
29 neither the dialog box of screen page 3 that is entitled “Text Import Wizard – Step 1 of 3” nor the
30 dialog box of screen page 4 that is entitled “Text Import Wizard – Step 2 of 3” allow for either the

1 definition of a plurality of options associated with each of the fields, as applicants' recite in regard to
2 the second dialog box, or the saving of the plurality of options associated with each field as recited in
3 connection with the third dialog box. Instead, screen page 3 shows the choice of a delimited or fixed
4 width data type for all of the data.

5 Although, as illustrated by screen page 7, the initial data will be placed in three columns,
6 earlier in the process, as is apparent from screen page 3, any selection by the user of delimited or
7 fixed width is applied to *all* of the data. And although screen page 4 shows that the data are divided
8 into three columns, as is apparent from the text on the dialog box, "This screen lets you set the
9 delimiters your data contains. You can see how your text is affected in the preview below," the three
10 columns of data are just a preview and no columns are individually selectable such that each field can
11 be associated with a plurality of options that are defined for it. In addition, although screen page 5
12 illustrates that an individual column of the data may be manipulated as indicated by the text that
13 recites "This screen lets you select each column and set the Data Format," this screen still does not
14 appear to let a user set more than the one Data Format option. The "Advanced" button simply
15 accesses further settings used to recognize numeric data as part of the Data Format option.
16 Furthermore, even if, *arguendo*, screen page 5 included a plurality of options that could be associated
17 with each field such that the options could be saved with the "FINISH" button and such that the
18 dialog box might be equivalent to applicants' third dialog box, this reference still fails to disclose a
19 dialog box that is equivalent to applicants' second dialog box. The second dialog box has a different
20 functionality in the claims, than the third dialog box, and for the reasons noted above, screen page 3
21 and screen page 4 are not equivalent to applicants' second dialog box.

22 Thus, unlike applicants' invention that recites the use of a first, second and third dialog box,
23 the cited Excel reference does not appear to teach or suggest a second dialog box, or a third dialog
24 box. Accordingly, the rejection of independent Claim 8 under 35 U.S.C. § 103(a) should be
25 withdrawn.

26 Discussion of the Rejection of Independent Claim 10

27 The Examiner acknowledges that the Excel reference does not teach making the list a List
28 Object, such that a continuing association among fields of a record exists, regardless of whether a
29 user selects all of the fields within each record when manipulating records within the list or a field
30 form box for receiving a field name for each field defined in the window. However, he asserts that

1 the reference teaches the creation and embedding of objects into a spreadsheet at page 16. The
2 Examiner notes that by making the list an object, the list would have been permanently identified,
3 thus creating a continuing association among fields of a record regardless of whether a user selects all
4 of the fields within each record when manipulating records within the list. He further states that a
5 user labels the different fields in Excel by populating a header cell at the top of each field with a
6 name for the field and concludes that it would have been obvious to one of ordinary skill in the art at
7 the time the invention was made to have combined the list creation properties of Excel, with the
8 object creation and embedding properties of Excel, and with the field naming ability of Excel to have
9 created what is recited in this claim. Also, he asserts that it would have been obvious and desirable to
10 have named the fields so that the user would have known what the cell would have represented in
11 each field and created the list in the form of an object so that the list would have been easier to
12 identify, manipulate and move about the spreadsheet. Applicants respectfully disagree for the
13 following reasons.

14 With respect to step (a) of applicants Claim 10, which recites "a first dialog box comprising:
15 (i) a first plurality of input elements operable for receiving user commands to determine the location
16 of data to import into the List Object; and (ii) a second plurality of input elements operable for
17 receiving user commands to determine the location where the List Object will be placed in the
18 spreadsheet," the Examiner asserts that the Excel reference teaches the equivalency of this step and
19 cites screen pages 2 and 6. However, instead of using a single dialog box as recited by applicants'
20 claim, the Excel reference uses three separate dialog boxes. Specifically, screen page 2 illustrates the
21 pull down menu of "Data" that enables the user to select "Get External Data" in one dialog box, and
22 then "Import Text File" in a separate and second dialog box. There is yet a third dialog box shown
23 on screen page 6 that is entitled "Import Data." Thus, Excel does not teach or suggest a single (i.e., a
24 first) dialog box that *includes* a first and second plurality of input elements that are operable for
25 receiving user commands.

26 Furthermore, with respect to step (b) of applicants' Claim 10, which recites a second dialog
27 box comprising (i) a window for defining the fields in the List Object, and (ii) a field form box for
28 receiving a field name for each field defined in the window, and (iii) a drop down menu operable for
29 selecting a data type associated with each field defined in the window," the Examiner asserts that the
30 Excel reference teaches a window for defining the fields in the list and a drop down menu and cites

1 screen pages 3-5. The Examiner has not explained which elements on these three pages are
2 equivalent to what applicants' define the second dialog box as comprising. But assume, *arguendo*,
3 that the Examiner interprets screen page 3 as equivalent to "a window for defining the fields," since
4 the user is enabled to choose the file type that will result in the eventual sets of three columns of data
5 shown in screen page 7. And then assume, *arguendo*, that the Examiner interprets screen page 5 as
6 equivalent to "a drop down menu operable for selecting a data type associated with each field defined
7 in the window, because the column data format can be selected. Nonetheless, note that no drop down
8 menu exists on screen page 5. The "Advanced" button is for settings used to recognize numeric data
9 and thus, is an additional setting on top of the "General" button that converts numeric values to
10 numbers, as indicated by the text appearing on screen page 5. As illustrated by screen page 3, the
11 data that are present in the window were defined earlier in a separate box, so it is apparent that the
12 Excel reference does not teach the user to employ a second dialog box that includes both of the
13 recitation of a window defining the fields, and a drop down menu.

14 Finally, with respect to applicants' step (c) that recites a third dialog box comprising a
15 reference box for showing a name associated with the List Object and a "FINISH" button, the
16 Examiner asserts that on pages 6-15, the Excel reference teaches an "OK" button which is equivalent
17 to a "FINISH" button for creating the list, such that each field in each record is logically associated to
18 every other field in the record. However, applicants do not see where this citation teaches or suggests
19 a reference box for showing a name associated with a List Object. Accordingly, since the cited art
20 does not teach or suggest all of what is recited in independent Claim 10, the rejection of independent
21 Claim 10 under 35 U.S.C. § 103(a) should be withdrawn.

22 Because dependent claims inherently include all of the recitation of the independent claims
23 from which the dependent claims ultimately depend, and because the art cited does not disclose or
24 suggest all of the recitation of independent Claim 10, the rejection of dependent Claims 11-17 should
25 be withdrawn because these dependent claims are patentable for at least the same reasons as
26 Claim 10.

27 In view of the amendments and Remarks set forth above, it will be apparent that the claims in
28 this application define a novel and non-obvious invention, and that the application is in condition for
29 allowance and should be passed to issue without further delay. Should any further questions remain,
30 the Examiner is invited to telephone applicants' attorney at the number listed below.

Respectfully submitted,

Ron Anderson

Ronald M. Anderson
Registration No. 28,829

RMA/SKM:lrg

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